

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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| <i>IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001</i> |) | No. 03 MDL 1570 (RCC) |
| |) | ECF Case |
| |) | |

This document relates to:

CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 04-CV-05970;

FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*, Case No. 03-CV-6978; and

NEW YORK MARINE AND GENERAL INSURANCE CO. v. AL QAIDA, *et al.*, Case No. 04-CV-6105.

**TALAL M. BADKOOK'S AND THE M.M. BADKOOK COMPANY'S
RESPONSE TO PLAINTIFFS' CONSOLIDATED COMPLAINTS**

Defendants Talal M. Badkook and the M.M. Badkook Company, by and through undersigned counsel, respectfully submit their response to the plaintiffs' "consolidated" complaints. Defendants' motion to dismiss the *Continental Casualty*, *Federal Insurance*, and *New York Marine* complaints is fully briefed.

Subsequently, on September 30, 2005, these plaintiffs filed their "consolidated" complaints, which merely consisted of their complaints supplemented by a total of eighty RICO Statements and Rule 12(e) More Definite Statements. However, none of these supplemental filings has any new allegations about these two defendants that have not already been addressed in their motions to dismiss. Therefore, Mr. Badkook and the M.M. Badkook Company request that this Court consider their fully briefed motion to dismiss Nos. 1192-1194 (Sept. 6, 2005) and No. 1308 (Sept. 27, 2005), as their response to the plaintiffs' "consolidated" complaints.

Respectfully submitted,

/s/ Lynne Bernabei

Lynne Bernabei, Esquire (LB2489)
Alan R. Kabat, Esquire (AK7194)
Bernabei & Katz, PLLC
1773 T Street, N.W.
Washington, D.C. 20009-7139
(202) 745-1942

Attorneys for Defendants
Talal M. Badkook and
the M.M. Badkook Company

DATED: October 18, 2005

CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2005, I caused the foregoing to be served electronically on counsel of record by the Court's Electronic Case Filing (ECF) System, pursuant to ¶ 9(a) of Case Management Order No. 2 (June 16, 2004).

/s/ Alan R. Kabat

Alan R. Kabat